

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION**

ANTHONY ALLEN WOOD, et al.

PLAINTIFFS

VS.

**Case No. 05-CV-1011
Case No. 05-CV-1037**

TERIS, LLC

DEFENDANT

ORDER

Federal Rule of Civil Procedure 42(a) provides “when actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary cost and delay.” A motion to consolidate is not required and the court may order consolidation on its own initiative. Wright, Miller & Kane, Federal Practice and Procedure: Civil 3d § 2383.

The cases Anthony Allen Wood, et al., v. Teris, LLC, Case No. 05-CV-1011 and Keithton Nunn v. Teris, LLC, Case No. 05-CV-1037 involve common questions of law and fact. Pursuant to Rule 42(a), the cases Anthony Allen Wood, et al., v. Teris, LLC, Case No. 05-CV-1011 and Keithton Nunn v. Teris, LLC, Case No. 05-CV-1037 are hereby **consolidated**. Anthony Allen Wood, et al., v. Teris, LLC, Case No. 05-CV-1011 shall be the lead case and the attorneys shall file all documents under that caption. All deadlines are reset consistent with the Final Scheduling Order in Keithton Nunn v. Teris, LLC, Case No. 05-CV-1037.

IT IS SO ORDERED this 22nd day of August, 2005.

/s/ Harry F. Barnes

Hon. Harry F. Barnes
U.S. District Court